



PATENT
Docket No.: 16869N-031100US
Client Ref. No.: NT0419US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Norio CHUJO, et al.

Application No.: 09/930,806

Filed: August 15, 2001

For: Optical Modules and
Methods of Making the Optical
Modules

Examiner: Stephone B. Allen

Art Unit: 2878

Response After Allowance
and Request for Corrected Notice of Allowability

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Counsel for Assignee acknowledges receipt of the Notice of Allowance issued in the above patent application. The Notice of Allowability, however, notes that no certified copy of the priority document has been received. A review of the file indicates that the certified copy of the priority document, Japanese Application No. 2001-192704, was sent to the U.S. Patent Office with the original patent application at the time of filing. It is further noted that the priority document was received by the U.S. Patent Office Mailroom, as evidenced by the return receipt postcard for the patent application (copy enclosed) and the imaged copy of the application Transmittal Sheet obtained from the Patent Office PAIR system, copy also enclosed. Counsel believes that the certified priority document was received by the U.S. Patent Office, but was somehow misplaced between the Patent Office Mailroom and the examining division. A copy of the title page from the certified priority document is enclosed herewith for reference.

Accordingly, counsel requests that a corrected Notice of Allowability be issued. If the Examiner believes a telephone is in order regarding this matter, he is invited to telephone the undersigned at 650-326-2400.

Respectfully submitted,

Robert C. Colwell
Reg. No. 27,431

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
RCC:mks
60362352 v1

B
JLW

TRANSMITTAL FORM

NOV 26 2004

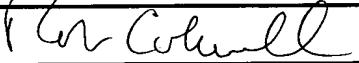
(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/930,806
Filing Date	August 15, 2001
First Named Inventor	Chujo, Norio
Art Unit	2878
Examiner Name	Stephone B. Allen
Attorney Docket Number	16869N-031100US

ENCLOSURES (Check all that apply)			
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC	
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)	
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information	
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter	
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	1. Response After Allowance	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	2. COPY return postcard	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	3. COPY Utility Patent Application Transmittal (from PAIR)	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application		4. COPY title page from certified copy of Japanese 2001-192704	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		5. Return postcard	
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Robert C. Colwell		
Date	November 23, 2004	Reg. No.	27,431

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name	Margaret K. Stephan	Date	November 23, 2004

COPY

**PATENT APPLICATION
FILING ACKNOWLEDGMENT**

PA 3164156 v1

Mailing Date: August 15, 2001 Express Mail No. EL525753084US
File No.: 16869N-031100 Attorney: RCC:mks
Inventor(s): Norio Chujo, *et al.*
Title: Optical Modules and Methods of Making the Optical Modules

Combined Declaration/

Power of Attorney (signed) _____ Declaration (_____
Assignment of Patent Application _____ Power of Attorney _____
Reordination Form Cover Sheet **SEP 5 2001** Verified Statement _____

No. pages of specification, 1 ADS
including claims & Abstract 27
No. sheets of drawings 12 frml
Transmittal 1
Fee Transmittal 2
Information Disclosure Statement
PTO/SB/08A + refs.
Certified copy of appln.

Please stamp the date of receipt of the enclosed documents and return this card to addressee.

Please type a plus sign (+) inside this box

U8-17-01
PTO/SB/05A(11-00)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

JC887 U.S. PTO

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. 16869N031100

First Inventor Chujo, Norio

Title OPTICAL MODULES AND METHODS OF MAKING THE OPTICAL MODULES

Express Mail Label No. EL525753084US

COPY

PTO
08/15/01
JC978 U.S. PTO
09/920806

APPLICATION ELEMENTS

See MPEP chapter 600 concerning design patent application contents.

- Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
- Applicant claims small entity status.
See 37 CFR 1.27.
- Specification [Total Pages 27]
 - Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- Drawing(s) (35 U.S.C.113) [Total Sheets 12] 1
 - 5. Oath or Declaration
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
 - 1. **DELETION OF INVENTOR(S)**
Signed statement attached deleting Inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- Application Data Sheet. See 37 CFR 1.76

ADDRESS TO

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper number of pages
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 C.F.R. §3.73(b)Statement Power of (when there is an assignee) Attorney
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. Certified Copy of Priority Document(s) (if foreign priority is claimed) (JP 2001-192704)
16. Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
17. Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP)

of prior application No: _____ /.....

Group Art Unit: _____

Prior application information: Examiner _____
For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label 20350 or Correspondence address below
(Insert Customer No. or attach bar code label here)

Name			
Address			
City	State	Zip Code	
Country	Telephone	Fax	

Name (Print/Type)	Robert C. Colwell	Registration No. (Attorney/Agent)	27,431
Signature	Robert C. Colwell		Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

PA 3164116 v1

日本国特許庁 **COPY**
 JAPAN PATENT OFFICE

別紙添付の書類に記載されている事項は下記の出願書類に記載されている事項と同一であることを証明する。

This is to certify that the annexed is a true copy of the following application as filed with this Office

出願年月日

Date of Application:

2001年 6月26日

出願番号

Application Number:

特願2001-192704

出願人

Applicant(s):

日本オプネクスト株式会社

2001年 7月27日

特許庁長官
 Commissioner,
 Japan Patent Office

及川耕造

